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REMARKS

Included herein is a request for a one-month extension of time along with the appropriate fee.

In the Office Action mailed 7/7/2006, Claims 1-14 were rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. Claims 1-9 were further rejected under as being obvious under 35 U.S.C. §103(a) over the prior art. Claims 10-14 appeared to be otherwise allowable if the §112 rejection could be overcome.

In response, Applicant and the Examiner conducted an interview on July 25, 2006. During that interview, the Examiner kindly explained his specific grounds for the §112 rejection, namely, that the language on Page 11 of the Specification, as originally filed, contained confusing language that did not serve to adequately disclose the invention. The specific confusion was identified by the Examiner as arising from the inadvertent combining of a sentence defining a cross-over point and a sentence defining a connecting vector.

In the course of that interview (as documented in the Interview Summary prepared by the Examiner), new drawing Figure 5 was discussed. The Examiner deemed Figure 5 (combined with the contents of Claim 10, as originally filed) to partially aid in identifying the location of the confusion, but to present an additional issue related to the potential for new matter being introduced in this new drawing figure.

In response, Applicant has herein:

1. replaced new drawing sheet 5 with the attached new drawing sheet 5 in response to the Draftsperson's drawing review;
2. made amendment to the Description of the Drawings portion of the Specification to include new Figure 5;

3. made amendment to the Detailed Description to correct the confusing language filed originally; and
4. made amendment to Claim 1 to conform to that original Claim 10 scope of disclosure (by essentially amending in the limitations of Claim 3);
5. made amendment to Claim 10 to provide even further clarity regarding the details of the claimed invention (in view of the current understanding regarding the source of the confusion);
6. provided a revised Terminal Disclaimer identifying the proper parent application.

Regarding the potential for new matter being entered by virtue of the addition of Figure 5 and its related description in the enclosed Specification amendment, Applicant respectfully asserts that these two amendments simply correct a typographical error introduced by the undersigned. The inventive aspects contained within Figure 5 were in the inventor's hands as of the filing of the original Specification – Claim 10 makes this clear. Furthermore, if Examiner were to consider a sister application to the present application, Ser. No. 10/785,353, filed on the same day as the instant application, Figure 6 contained therein (and the associated discussion related thereto) specifically refers to the relationship between the cross-over point and the connecting vectors. The Examiner, in his Action, paragraph 5, in fact directs Applicant to add reference to this application. The Examiner did make an error by specifying 10/785,356 as the proper serial number (that in fact is the serial number of the instant application) – 10/785,353 is the application to which referral is made through the original invention title as filed in the prior-filed provisional application (which

included the entirety of the '353 Figure 6). As such, there is no new matter, and this ground for rejection would therefore respectfully be improper.

As for the §112 rejection contained in item 7 of the 7/6/06 Office Action, Applicant believes that the Examiner's concerns and/or questions were addressed in the course of the aforementioned Telephonic Interview, and consequently in the amendments submitted herein. In the event that the Examiner believes that these issues have not been adequately addressed, Applicant requests that the Examiner identify which issues have not been addressed.

Regarding the §103(a) rejections of Claims 1-9 contained in items 8 and 9 of the 7/6/06 Office Action, Applicant respectfully submits the following argument:

In re Liu: None of the variety of position estimating methods disclosed by Liu employ a cross-over point, nor do they then use that cross-over point as a starting point to arriving at the next transmitter position estimate. Liu, therefore, fails to teach each and every element of Applicant's claimed invention.

Applicant's claimed invention involves the "computing device then estimates a future position of said transmitter in reference to said cross-over point." Liu fails to disclose the location of a future position, but rather discloses an estimate of a new position once real-time data has been obtained that triangulates to that position. There is nothing in the Liu disclosure that indicates using a past position to effect the calculation of a future position. As this is true in the generic sense, clearly it is true for Applicant's claimed system of Claims 1-9, as amended. As shown in Figure 5, the new estimated

position (EP) is within a new set of probability fields – while this may not be new, what is new is the use of the connecting vector to further predict the future position (EP). In other words, the EP is on the connecting vector, which may have the effect of overriding the predicted location simply based on the lines of bearing and error bounds. Nothing in Liu discusses this approach.

In re Hodson: None of the disclosed location estimation methods, nor anywhere within the Hodson disclosure itself, is a location method or system wherein a “cross-over point” is first generated, where “said cross-over point defined as the intersection of a pair of sequential real-time lines of bearing from each said DF set each line of bearing corresponding to a wireless transmission from said transmitter received by said DF set,” whereafter a “future position of said transmitter” is estimated “in reference to said cross-over point.”

In re Dupray: The Dupray method utilizes a TOA method for localization of the mobile transmitter and not via Applicant’s claimed real-time estimating method. The real-time position estimating benefits of Applicant’s claimed invention are supported by ample disclosure within the subject specification, and are not trivial.

Furthermore, similar to Liu, Dupray and Hodson both fail to disclose the use of the connecting vector to predict a future transmitter position, with method employing the connecting vector being defined in the specification as originally filed as: “generating a connecting vector from said real-time line of bearing to said cross-over position point; and identifying a real-time position of said transmitter along said connecting vector” See Claim 10. None of the cited references suggest such an approach to predicting the location of a transmitter.

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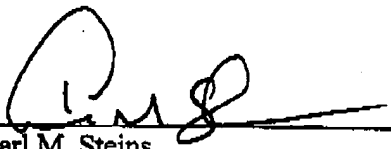
In closing, Applicant respectfully incorporates its previous arguments traversing the prior art rejections herein, and therefore respectfully asserts that all grounds for rejection have been overcome.

Conclusion

In view of the foregoing amendments and remarks, Applicant respectfully requests that the application be reconsidered, the claims be allowed, and the case passed to issue.

Respectfully submitted,

STEINS & ASSOCIATES



Karl M. Steins
Registration No. 40,186
2333 Camino del Rio South
Suite 120
San Diego, California 92108
Telephone: (619) 692-2004
Facsimile: (619) 692-2003